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UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

Athena and Jantha Williams; Brian and Judy Glass; Erin and Christy McComack; Richard Rosario; Toby Lee Rutter; Romeal and Angela Stephens; Evette Tribes; Calvin and Sherae Walton; Vincent Yi; Zane and Kalonna Zeigler; Cecilia Iliesiu; Douglas and Kathy Leger; Ronald Lewis; Joseph and Lisa Manno; Shelly Adam and Megan Henderson; Gwendolyn Barilleaux; Tracey Burke; Katie Cummings and Vernon Sams; Selma and Mehdi Ksibi; Mary Miller; Manilyn Sanchez and Rodney Johnson; and Angel Medina, Patricia Medina, Monica Medina, and Audrie Cano,

Plaintiffs,

v.

HOLIDAY INN

HOLIDAY INN CLUB VACATIONS,
SILVERLEAF RESORTS, INC., ORANGE
LAKE RESORTS, AND ORANGE LAKE
COUNTRY CLUB, INC., AND DOES 1-5
AND ROE CORPORATIONS, 1-10,

Defendants.

Civ. Action No. **2:19-cv-0057-cr**

**PLAINTIFFS' MOTION
TO CONTINUE ORAL ARGUMENT
ON MOTION TO DISMISS**

PLAINTIFFS' MOTION TO CONTINUE

COME NOW, the Plaintiffs, by and through undersigned counsel, and moves this court to continue the Hearing On Defendant's Motion to Dismiss, currently scheduled for Thursday, November 14, at 2:00 p.m. Understanding the considerable inconvenience to the parties and this court, Plaintiff states the following reason for this request:

BRIEF HISTORY

1. This lawsuit was filed on April 18, 2019, and a First Amended Complaint was filed on June 27, 2019.
2. Defendant filed a Motion to Dismiss or Alternatively to Enforce Arbitration Clause, for which Plaintiff filed and opposition, and this court set this matter for a hearing on the motion.
3. Subsequent to agreeing to the date, Plaintiff's counsel was assigned a date for sentencing on a state court matter, which was set for one hour before this court's hearing.
4. Due to counsel's error in docketing, they missed the conflict until they were reviewing material for both hearings-which counsel believed were one day apart instead of one hour apart.
5. Because this hearing was scheduled first, and because at least one attorney for Defendant is traveling to be here, counsel for Plaintiff obtained agreement from the state to move the sentencing hearing, which was denied by the Franklin County Superior Criminal Division (see attached).
6. Defendant has been contacted regarding this issue, and it's understood that they OPPOSE change the date.

1 7. Counsel for Plaintiffs cannot share responsibility for the current situation, nor
2 can they provide a better reason than human error.

3 8. However, Plaintiff's counsel does not currently see a way to salvage both
4 hearing dates.
5

6 WHEREFORE, Plaintiffs move to continue this hearing to a date acceptable to the parties and
7 the court.
8

9 I CERTIFY PURSUANT TO LOCAL RULE 7(b), THAT PLAINTIFF PARTIES ARE
10 NOTIFIED OF THIS REQUEST.

11 **THE ABRAMS LAW FIRM**

12 /S/Joshua Martin

13 Joshua Martin, VT Bar No. 4713
14 Attorney for the Plaintiffs' Group
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